

ORIGINAL

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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

SAN DIEGO DIVISION

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on February 29, 2008, at 1:30 p.m., or as soon
 3 thereafter as the matter may be heard by the above-entitled Court, located at 940 Front Street,
 4 San Diego, California, Plaintiffs 1800 SOUTH MAPLE STREET, LLC, a California limited
 5 liability company; RALPH J. GIANNELLA, an individual; GIANNELLA PROPERTIES,
 6 INC., a California corporation; WILLIAM G. AYYAD, an individual; WILLIAM G. AYYAD,
 7 INC., a California corporation; and PREMIER COMMUNITIES, LLC, a California Limited
 8 Liability Company, ("Plaintiffs") will hereby move this Court for an order permitting the filing
 9 of an amended complaint, adding MICHAEL EHRENFELD COMPANY – INSURANCE
 10 AGENTS & BROKERS as a defendant and causes of action for professional negligence and
 11 negligent misrepresentation on the part of said defendant. A copy of the proposed amended
 12 pleading is attached as Exhibit A to the Declaration of C. Brant Noziska.

13 The motion will be made on the ground that it is in the interests of justice and judicial
 14 efficiency to allow the proposed amendment. Said amendment is related to the subject matter of
 15 the existing controversy between the parties and will not result in prejudice to the defendant.
 16 Allowing the amendment would therefore promote the efficient resolution of all claims between
 17 the parties.

18 This motion will be based upon this notice of motion, the supporting declaration of C.
 19 Brant Noziska, the memorandum of points and authorities, the supporting evidence and exhibits,
 20 all filed concurrently herewith, the papers and records lodged with the Court and on file herein,
 21 matters of which this Court may take judicial notice, and such other and further evidence and
 22 argument as may be presented at the time of the hearing of this motion.

23
 24 Dated: January 29, 2008

ROCKWOOD & NOZISKA, LLP

25
 26 By:



27 NEAL H. ROCKWOOD, ESQ.
 28 C. BRANT NOZISKA, ESQ.
 CHARLES L. FANNING IV, ESQ.
 Attorneys for Plaintiffs